



UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
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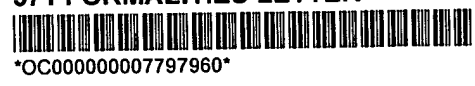
U.S. APPLICATION NUMBER NO. 09/869,987	FIRST NAMED APPLICANT Richard A. Demmin	ATTY. DOCKET NO. JHT-0002
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INTERNATIONAL APPLICATION NO. PCT/US00/01008	
I.A. FILING DATE 01/14/2000	PRIORITY DATE

James H Takemoto  
Exxonmobil Research And Engineering  
PO Box 900  
Annandale, NJ 08801-0900

CONFIRMATION NO. 4456

371 FORMALITIES LETTER



Date Mailed: 04/09/2002

*Received 4/27/02*  
*Mailed June 9, 2002*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

APR 16 2002

BT

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Telephone: (703) 305-3737

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PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/869,987	PCT/US00/01008	JHT-0002

FORM PCT/DO/EO/905 (371 Formalities Notice)

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
Richard A. Demmin et al	)	Before the Examiner
	)	Not Assigned
U. S. Serial No. 09/869,987	)	
	)	
Filed: January 14, 2000	)	
	)	Group Art Unit
HYDROFINING PROCESS USING BULK	)	
GROUP VIII/GROUP VIB CATALYSTS	)	Confirmation Number 4456

Commissioner for Patents  
Washington, DC 20231

Sir:

RESPONSE TO  
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In response to the Notification of Missing Requirements Under 35 U.S.C. 371,  
Applicants submit copies of the following:

- (1) Post Card: Assignment/Recordation (3 pages), Declarations (4 pages),  
Form PTO-1390 (2 pages)  
533 Rec'd PCT/PTO 22 AUG 2001
- (2) U.S. Post Office Express Mail Label (751168083 US)  
Post Office dated Aug 22, 2001
- (3) Transmittal Letter To The United States Designated/Elected Office  
(DO/EO/US) Concerning A Filing Under 35 U.S.C. 371 and attachments

I hereby certify that I have a reasonable basis for believing that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on APRIL 23, 2002  
Date of Deposit

KATHLEEN A. KUNA  
Name of attorney or agent

April 23, 2002  
Signature

APRIL 23, 2002  
Date of Signature



27810

PATENT TRADEMARK OFFICE

The Examiner's attention is directed to Item 9 of the enclosed Transmittal Letter To The United States Designated/Elected Office. Applicants were in compliance with 37 CFR 1.497(a) and (b) by submitting the required Declaration on August 22, 2001. Nevertheless, in the interest of expediting the prosecution of this patent application, a copy of the Declaration is also attached herein.

In view of the foregoing comments, Applicants respectfully request the Examiner to pass the case to issue.

Respectfully submitted,

  
George B. Georgellis  
Attorney for Applicants  
Registration No. 43,632  
Telephone No. (908) 730-2263

☒ Pursuant to 37 CFR 1.34(a)

ExxonMobil Research and Engineering Company  
P. O. Box 900  
Annandale, New Jersey 08801-0900

GBG:kak  
April 22, 2002  
P1997J057D

EXPRESS MAIL LABEL NO.: EL 751168083 US

FORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

JHT-0002

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/869,987

INTERNATIONAL APPLICATION NO.

PCT/US00/01008

INTERNATIONAL FILING DATE

14 January 2000 (14.01.00)

PRIORITY DATE CLAIMED

15 January 1999 (15.01.99)

TITLE OF INVENTION

HYDROFINING PROCESS USING BULK GROUP VIII/GROUP VIB CATALYSTS

APPLICANT(S) FOR DO/EO/US

Richard A. Demmin and Kenneth L. Riley

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is the **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☒ This is the **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
  4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
  5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a. ☐ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☐ Amendments to the claims of the International Application number PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A **FIRST** preliminary amendment.
  14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  15. ☐ A substitute specification.
  16. ☐ A change of power of attorney and/or address letter.
  17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
  18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
  19. ☐ A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).
  20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center;">09/869,987</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/US00/01008</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">JHT-0002</div>
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21. ☐ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a) (1) - (5)):**  
 Neither international preliminary examination fee (37 CFR 1.482)  
 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
 and International Search Report not prepared by the EPO or JPO. .... **\$1000.00**

International preliminary examination fee (37 CFR 1.482) not paid to  
 USPTO but International Search Report prepared by the EPO or JPO. .... **\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
 but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. .... **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 but all claims did not satisfy provisions of PCT Article 33(1)-(4). .... **\$690.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 and all claims satisfied provisions of PCT Article 33(1)-(4). .... **\$100.00**

**ENTER APPROPRIATE BASE FEE AMOUNT =**

CALCULATIONS	PTO USE ONLY															
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	<b>\$Submitted on 7/9/01 with first submission.</b>															
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;">\$</th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x <b>\$18.00</b></td> <td>\$0.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x <b>\$80.00</b></td> <td>\$0.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	- 20 =	0	x <b>\$18.00</b>	\$0.00	Independent claims	- 3 =	0	x <b>\$80.00</b>	\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$												
Total claims	- 20 =	0	x <b>\$18.00</b>	\$0.00												
Independent claims	- 3 =	0	x <b>\$80.00</b>	\$0.00												
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	<b>+ \$270.00</b> \$0.00															
<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$0.00															
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$															
<b>SUBTOTAL =</b>	\$0.00															
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$															
<b>TOTAL NATIONAL FEE =</b>	\$0.00															
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property	\$40.00															
<b>TOTAL FEES ENCLOSED =</b>	\$40.00															
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"><b>Amount to be refunded:</b></td> <td style="width: 20%;">\$</td> </tr> <tr> <td><b>charged:</b></td> <td>\$</td> </tr> </table>	<b>Amount to be refunded:</b>	\$	<b>charged:</b>	\$											
<b>Amount to be refunded:</b>	\$															
<b>charged:</b>	\$															

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 05-1330 in the amount of \$40.00 to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment  
 to Deposit Account No. 05-1330. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card  
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

EXXONMOBIL RESEARCH AND ENGINEERING COMPANY  
 P. O. BOX 900  
 ANNANDALE, NJ 08801-0900

James H. Takemoto, Registration No. 28,272  
 Attorney for Applicants

EM# EL 751168083 US

PATENT OFFICE MAIL ROOM - PLEASE PLACE THE MAIL ROOM DATE  
STAMP ON THIS CARD TO INDICATE RECEIPT BY THE PATENT OFFICE  
OF THE PAPER IDENTIFIED BELOW AND RETURN SAME TO US.

APPLICATION S.N. 09/869,987 FILED: 7-9-2000 <sup>Entered US NATL. PHASE</sup>

INVENTORS: Richard A. Deming, et al. CASE NO. JHT-0002

TYPE OF PAPER: (PCT/US 00/01008 F. 1/14/2000)

AFFIDAVIT  
APPEAL BRIEF  
AMENDMENT

INFORMATION DISCLOSURE / FM. 1449  
NOTICE OF APPEAL  
PETITIONS

3 PAGES  
ASSIGNMENT / RECORDATION  
DECLARATIONS - 4 PAGES

PRELIMINARY STATEMENT  
REQUEST FOR RECONSIDERATION  
SUPPLEMENTAL OATH  
TERMINAL DISCLAIMER

DRAWINGS  
FINAL FEE

OTHER: FORM PTO-1390 (2 pages)

533 Rec'd PCT/PTO 22 AUG 2001 <sup>mailed</sup> Aug. 22, 2001